

Notice of Allowability**Application No.**

10/758,669

Applicant(s)

SAPP, MARKUS

Examiner

Hugh Jones

Art Unit

2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/19/2008.
2. ☒ The allowed claim(s) is/are Claims 1-17, 19-34, 36-43, 45.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 12/18/2008.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. Claims 1-17, 19-34, 36-43, 45 are pending. Claims 18, 35, 44 have been cancelled. Applicants are thanked for the interview and for putting the application in condition for allowance.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Tong J. Lee on 2/12/2009.

4. The application has been amended as follows:

Insert:

--Fig. 5 shows an embodiment of a method for simulating a string.--

after line 4 of page 6 of the specification of 1/14/2004. See below for clarification:

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Fig. 3 shows a model of a string with a degree of excursion according to the present invention; and

Fig. 4 shows one embodiment of an apparatus according to the present invention, in which a personal computer is programmed to run a synthesiser application program.

→ **insert here.**

Allowable Subject Matter

5. Claims 1-17, 19-34, 36-43, 45 are allowed. All rejections are withdrawn in view of the amendment.

6. The following is an examiner's statement of reasons for allowance:

Claim 1 is representative:

1. (Currently Amended) A machine-implemented method for creating a musical sound, the method comprising:
establishing a model of a string that rests in a fluid medium and has creating a sound by
simulating self-sustained vibration of a string having a fixed end and a movable end;
simulating a turbulence to excite the movable end of the string from a rest position;
simulating the string subject to a force exerted by a stream of a the fluid medium flowing
in a direction that has a component along a longitudinal axis of the string;
calculating a self-sustained vibration of the string in response to the turbulence and the
force;
calculating a representation of a sound based on the self-sustained vibration, and
creating the musical sound by a sound generating device based on the
representation relating an excursion in time of the movable end to the force and relating
movement of the string in time to the excursion of the movable end to simulate the self-sustained
vibration.

The prior art discloses simulation/modeling modeling of a "string" subject to longitudinal forces and appropriate boundary conditions in such applications as cable towing in air or liquid. It is also known to model strings in musical instruments). However, the prior art of record does not disclose or suggest the combination of highlighted portions (above) in the context of the claims, as defined in the specification and in view of Applicant's remarks.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hugh Jones whose telephone number is (571) 272-3781. The examiner can normally be reached on M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached on (571) 272-2279. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hugh Jones/
Primary Examiner, Art Unit 2128